Introduced by:
THOMAS M. FORSYTHE
DAVE MOONEY
NO. 70-502
IVOL 03 FRME 2009

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 6 (Traffic Code

ordinance no. U0563

An Ordinance amending and adding to Resolution No. 36096 (Traffic Code).

BE IT ORDAINED BY THE KING COUNTY COUNCIL:

SECTION 1. The King County Council finds as fact that it is necessary to amend and add to Resolution No. 36096 in order that effective regulation and control of the movement of vehicles and the maintenance of safety upon the county roads be further implemented.

SECTION II. STATUTES ADOPTED - The following statutes and any subsequent amendments therefor are herby adopted by reference:

RCW 46.16.010

RCW 46.16.140

RCW 46.16.240

RCW 46.16.260

RCW 46.20.045

RCW 46.20.220

SECTION III. Additions

46.61.645-1--SPILLED LOADS--The operator of any vehicle which has spilled, dropped, dumped or in any manner deposited any matter upon a public place shall cause said public place to be cleaned.

46.44.045-1--PENALTIES FOR VIOLATIONS. (1) Any person violating any of the provisons of RCW 46.44.040 through 46.44.044 shall be guilty of a misdemeanor and upon first conviction thereof shall be fined a basic fine of not less than twenty-five dollars nor more than fifty dollars; upon second conviction thereof shall be fined a basic fine of not less than fifty dollars nor more than one hundred dollars; and upon a

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third or subsequent conviction shall be fined a basic fine of not less than one hundred dollars.

In addition to, but not in lieu of, the above

basic fines, such person shall be fined two cents per pound for each pound of excess weight up to five thousand pounds; if such excess weight is five thousand pounds and not in excess of ten thousand pounds, the additional fine shall be three cents per pound for each pound of excess weight; and if the excess weight is ten thousand pounds or over, the additional fine shall be four cents per pound for each pound of excess weight: Provided, That upon the first conviction, the court in its discretion may suspend the additional fine for excess weight up to five thousand pounds and for excess weight over five thousand pounds may apply the schedule of additional fines as

if the excess weight over five thousand pounds were the only

excess weight, but in no case shall the basic fine be suspended.

- (3) The court may suspend the certificate of license registration of the vehicle or combination of vehicles upon the second conviction for a period of not to exceed thirty days and the court shall suspend the certificate of license registration of the vehicle or combination of vehicles upon a third or subsequent conviction for a period of not less than thirty days. For the purpose of this section bail forfeiture shall be given the same effect as a conviction. For the purpose of suspension of license registration conviction or bail forfeiture shall be on the same vehicle or combination of vehicles during any twelve month period regardless of ownership.
- (4) Any person convicted of violating any posted limitations of a highway or section of highway shall be fined not less than one hundred dollars and the court shall in addition thereto suspend the driver's license for not less than thirty days. Whenever the driver's license and/or the certificate

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of license registration are suspended under the provisions of this section the judge shall secure such certificates and immediately forward the same to the director with information concerning the suspension thereof.

- (5) Any other provision of law to the contrary notwithstanding, justice courts having venue shall have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.
- (6) For the purpose of determining additional fines as provided by subsection (2), "excess weight" shall mean the poundage in excess of the maximum gross weight prescribed by RCW 46.44.040 through 46.44.044 plus the weights allowed by RCW 46.44.046, 46.44.047, and 46.44.095.
- (7) For the purpose of computing the basic fines and additional fines to be imposed under the provisions of subsections (1) and (2) the convictions shall be on the same vehicle or combination of vehicles within a twelve months period under the same ownership.
- (8) The additional fine for excess poundage provided in subsection (2) shall be transmitted by the court to the county treasurer.
- All fines and forfeitures collected for violations of provisions of this ordinance and of provisions of other ordinances heretofore enacted and not repealed by the King County Council regulating the operation of vehicles and the conduct of pedestrians shall be deposited in the King County current expense fund, and shall be available for general county purposes.
- 46.61.015-1--OBEDIENCE TO POLICE OFFICERS, FIRE DEPARTMENT OFFICIALS AND FLAGMEN. No person shall willfully fail or refuse to comply with any lawful order or direction of any duly authorized flagman or any sheriff's officer or

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 fire department official invested by law with authority to direct, control or regulate traffic.

46.12.010-1--CERTIFICATES REQUIRED TO OPERATE AND SELL VEHICLES. It shall be unlawful for any person to operate any vehicle in this county under a certificate of license registration of this state without securing and having in full force and effect a certificate of ownership therefore and it shall further be unlawful for any person to sell or transfer any vehicle without complying with all provisions of RCW 46.12 chapter relating to certificates of ownership and license registration of vehicles.

46.16.025-1--IDENTIFICATION DEVICE FOR EXEMPT FARM VEHICLES. Before any "farm vehicle" as defined in RCW 46.04.181 shall operate on or move along a public highway, there shall be displayed upon it in a conspicuous manner a decal or other device, as may be prescribed by the director of motor vehicles and issued by the Department of Motor Vehicles, which shall describe in some manner the vehicle and identify it as a vehicle exempt from the licensing requirements of RCW 46.16 chapter.

46.20.055--INSTRUCTION PERMITS AND TEMPORARY
LICENSES. (1) No person, entitled to drive in motor vehicle
pursuant to an instruction permit issued under the provisions
of RCW 46.20.055 shall drive a motor vehicle without having
such permit in his immediate possession; nor shall such person
drive a motor vehicle unless accompanied by a licensed driver
who has had at least five years of driving experience and
is licensed in the State of Washington and who is occupying
a seat beside the driver, except in the event the permitee is
operating a motorcycle.

(2) No person, holding a temporary driver's permit issued pursuant to RCW 46.20.055, shall drive a

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motor vehicle without such temporary driver's permit in his immediate possession.

46.20.342-1--DRIVING WHILE LICENSE SUSPENDED OR REVOKED-PENALTY. Any person who drives a motor vehicle on any public highway of this county at a time when his privilege so to do is suspended or revoked or when his policy of insurance or bond, when required under RCW 46.20 chapter, shall have been cancelled or terminated, shall be guilty of a misdemeanor. Upon the first conviction therefore, he shall be punished by imprisonment for not less than 10 days nor more than 90 days. Upon the third such conviction therefore, he shall be punished by imprisonment for 90 days. There may also be imposed in connection with each such conviction a fine of not more than \$250.

46.44.120-1--APPLICATION OF THIS CHAPTER AND RESPONSIBILITY WHERE VEHICLE IS OPERATED WITH OWNER'S Whenever an act or omission is declared to be unlawful in chapter 46.44 RCW, the operator of the vehicle, if he is not the owner of such vehicle, but is so operating the same with the express or implied permission of the owner, then the operator and/or owner shall both be subject to the provisions of this chapter with the primary responsibility to be that of the owner.

46.61.700-1--PARENTS OR GUARDIANS SHALL NOT AUTHORIZE OR PERMIT VIOLATION BY A CHILD OR WARD. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this resolution.

46.64.048-1--ATTEMPTING, AIDING, ABETTING, COERCING, COMMITTING VIOLATIONS, PUNISHABLE. Every person who commits, attempts to commit, conspires to commit, or aids and abets in the commission of any act declared by this

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title to be a crime, whether individually or in connection with one or more other persons or as principal agents or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcefully, or willfully induces, causes, coerces, requires, permits or directs others to violate any provisons of this resolution is likewise guilty of such offense.

47.48.040-1--PENALTY. When any county road or portion thereof shall have been closed, as by law provided, any person, firm or corporation disregarding such closing and using such county road or portion thereof with any vehicle or any class of vehicle, as the case may be, to which said county road or portion thereof is closed by any notice or emergency notice, shall be guilty of a misdemeanor, and shall in addition for penalty of the provisions of this section, be liable in any civil action instituted in the name of the county for any damages occasioned to such county road as the result of disregarding such closing and using such county road or portion thereof with any vehicle or class of vehicle to which the same is closed.

SECTION IV - Severability

If any provisions of this resolution, or its application to any person or circumstances is held invalid, the remainder of this resolution, or the application of the provisions to other persona or circumstances is not affected.

INTRODUCED and read for the first time this 10th day of August, 1970.

PASSED by the Council at a regular meeting thereof on the 8th day of September, 1970.

Chairman of the County Council

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